

KAREN S. FRANK (No. 130887)
Email: kfrank@howardrice.com
SARAH M. KING (No. 189621)
Email: sking@howardrice.com
HOWARD RICE NEMEROVSKI CANADY
FALK & RABKIN
A Professional Corporation
Three Embarcadero Center, 7th Floor
San Francisco, California 94111-4024
Telephone: 415/434-1600
Facsimile: 415/217-5910

Attorneys for Plaintiffs
BROADCAST MUSIC, INC. et al.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

BROADCAST MUSIC, INC. et al.,

Plaintiffs,

V.

G&M GAME CORPORATION; KRAZY KOYOTE BAR & GRILL; GEORGE D. HEADLEY, JR. & MARCOS ANTHONY HEADLEY, each individually,

Defendants.

No. C07-02453 CRB

Action Filed: May 8, 2007

[proposed]ORDER FOR PLAINTIFFS'
BROADCAST MUSIC, INC. et al.'s
MOTION FOR SUMMARY
JUDGMENT

Date: December 14, 2007
Time: 10:00 a.m.
Place: Courtroom 8, 19th Floor
Judge: Hon. Charles R. Breyer

Trial Date: None Set

This matter came before the Court on Plaintiffs' Broadcast Music, Inc. et al.'s Motion for Summary Judgment. Having considered the pleadings, declarations and memorandum of points and authorities, it is ORDERED AND ADJUDGED:

I

Plaintiffs' Motion for Summary Judgment against Defendants G&M Game Corporation, George D. Headley, Jr. and Marcos Anthony Headley, jointly and severally, is granted, this Court finding that the Defendant knowingly and intentionally infringed upon the copyrights of nine (9) musical compositions owned and/or licensed by Plaintiffs.

III

Plaintiffs shall recover from Defendants G&M Game Corporation, George D. Headley, Jr. and Marcos Anthony Headley, jointly and severally, statutory damages in the amount of three thousand dollars (\$3,000) for each of the nine (9) musical compositions, for a total of \$27,000, pursuant to 17 U.S.C. Section 504(c)(1).

III

Plaintiffs shall recover from Defendants G&M Game Corporation, George D. Headley, Jr. and Marcos Anthony Headley, jointly and severally, full costs in this action, including reasonable attorney's fees in the amount of \$9,974.25, pursuant to 17 U.S.C. Section 505.

IV

Plaintiffs shall recover from Defendants G&M Game Corporation, George D. Headley, Jr. and Marcos Anthony Headley, jointly and severally, interest on the full amount of this judgment, from the date of this judgment, pursuant to 28 U.S.C. Section 1961.

V

Defendants G&M Game Corporation, George D. Headley, Jr. and Marcos Anthony

1 Headley and their agents, servants, employees and all persons acting under their permission
2 or authority shall be permanently enjoined and restrained from infringing, in any manner, the
3 copyrighted musical compositions licensed by Broadcast Music, Inc.

4

5

VI

6 This Court shall retain jurisdiction over this action for the purpose of enforcing the
7 judgment granted.

8

9

DATED: _____, 2007.

10

11

12

UNITED STATES DISTRICT JUDGE

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28